MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018/2019 SESSION

ULM1612 – LEGAL METHOD

(All Sections / Groups)

18 OCTOBER 2018

Reading Time : 9:00 a.m.-9:15 a.m.
(15 Minutes)
Answering Time: 9:15 a.m. - 12:15p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 3 pages with 4 Questions only.

3. Attempt **ALL** questions in **PART A** and **ONE** question in **PART B** . All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are **not allowed** to bring in any statute into the Examination Hall.

5. Please write all your answers in the Answer Booklet provided.

PART A: ANSWER ALL QUESTIONS

QUESTION 1

a) Discuss briefly the Primary and Secondary sources of Law.

(15 marks)

b) Explain your understanding of Equity

(10 marks)

(Total: 25 marks)

QUESTION 2

a) Below are Latin legal terms that are frequently used in legal materials and literature. Explain the meaning of these terms with examples.

i. *Res ipsa loquitor*
ii. *Habeas corpus*
iii. *Doli incapax*
iv. *In pari materia*
v. *Mutatis mutandis*

(10 marks)

b) For the doctrine of judicial precedent to work, it is important to be able to determine what a point of law is. In the process of delivering a judgment, a judge will set out his/her ratio decidendi for reaching a decision. It is therefore crucial to separate the ratio decidendi from the obiter dicta.

Examine both mechanisms with reference to its role, functions, and practical purpose in a case law analysis.

(15 marks)

(Total: 25 marks)

Continued .....

QUESTION 3

Tony wants to take action against Nut Bites SDN BHD, a famous Biscuit manufacturer, as he found a dead cockroach inside his biscuit package which was produced by the said company.

Based on the above situation, provide a case study. As his lawyer, critically discuss how to help Tony to take action against the company.

(Total: 25 marks)

PART B: CHOOSE ONLY QUESTION 4(A) OR QUESTION 4(B)

QUESTION 4 (A)

a) Legal reasoning is important in the legal fraternity. Discuss.

(15 marks)

b) Briefly explain of your understanding on Statutory Interpretation.

(10 marks)

(Total: 25 marks)

Continued.....

QUESTION 4 (B)

Caroline went to a supermarket to buy herself a school bag. She saw a bag for RM 30.50 and took it to the counter to pay. Then the cashier told Caroline that the actual price for the bag is RM 80.50. Caroline demanded the cashier that the bag must be sold for RM 30.50. However, Simon, a bystander stopped Caroline by telling her that she has no right to do so as this is just a "mere invitation to treat".

Construct a persuasive argument with reference to a case study to support Simon's contention against Caroline.

(Total: 25 marks)

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